

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEVEN E. SHUDA,

No. 2:15-CV-97-RMP

Plaintiff,

VS.

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING COMPLAINT

DOUGLAS COUNTY OFFICIALS,
CHELAN COUNTY OFFICIALS,
OKANOGAN COUNTY OFFICIALS,
and STATE OF WASHINGTON
OFFICIALS.

28 U.S.C §§ 1915, 1915A

Defendants.

BEFORE THE COURT is Magistrate Judge John T. Rodger's Report and Recommendation to dismiss the complaint for failure to state a claim upon which relief may be granted. ECF No. 14. A copy of the Report and Recommendation, mailed to Plaintiff at the address he provided in Ronald, Washington, was returned as undeliverable on September 14, 2015. *See* ECF No. 15. Plaintiff, a *pro se* litigant, has not kept the Court apprised of his current address and has not filed anything further in this action.

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
COMPLAINT - 1

1 Plaintiff initiated this action while a prisoner at Okanogan County
2 Corrections. After he was released from incarceration, the Court granted him leave
3 to proceed *in forma pauperis*. ECF No. 11.
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5 There being no objections and for the reasons set forth by Magistrate Judge
6 Rodgers, **IT IS ORDERED** the Report and Recommendation, ECF No. 14, is
7 **ADOPTED in its entirety** and the Complaint, ECF No. 12, is **DISMISSED** for
8 failure to state a claim under 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1).

9 Pursuant to 28 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who
10 brings three or more civil actions or appeals which are dismissed as frivolous or for
11 failure to state a claim will be precluded from bringing any other civil action or
12 appeal *in forma pauperis* “unless the prisoner is under imminent danger of serious
13 physical injury.” 28 U.S.C. § 1915(g). **Plaintiff is advised to read the statutory**
14 **provisions under 28 U.S.C. § 1915. This dismissal of Plaintiff's complaint may**
15 **count as one of the three dismissals allowed by 28 U.S.C. § 1915(g) and may**
16 **adversely affect his ability to file future claims.**
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18 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
19 Order, enter judgment, forward copies to Plaintiff at his last known address, and
20 close the file. The District Court Executive is further directed to forward a copy of
21 this Order to the Office of the Attorney General of Washington, Criminal Justice
22

1 Division. The Court certifies that any appeal of this dismissal would not be taken in
2 good faith.

3 **DATED** this 29th day of September 2015.
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6 *s/ Rosanna Malouf Peterson*

7 ROSANNA MALOUF PETERSON
8 Chief United States District Court Judge
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ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
COMPLAINT - 3